IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

TUESDAY, THE 13TH NOVEMBER 2007 / 22ND KARTHIKA 1929

WP(C).No. 28177 of 2007(D)

OA.423/2003 of DEBT RECOVERY TRIBUNAL, ERNAKULAM

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PETITIONER:

K.B.JOY, S/O.KAITHAKKAT BALAKRISHNAN,
KAITHAKKATTU, EDAVILANGU PO, TRICHUR DISTRICT.

BY ADV. SRI.C.R.SIVAKUMAR
SRI.SAJU DAVID
SMT.G.VIDYA

RESPONDENTS:
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1. THE AUTHORISED OFFICER,
DHANALASHMI BANK LTD., ZONAL OFFICE,
DHANALAKSHMI BUILDINGS, PUNKUNNAM,
TRICHUR-680 002.

2. THE DHANALAKSHMI BANK LTD.,
EDAVILANGU BRANCH REPRESENTED BY BRANCH MANAGER.

3. K.B.SAMBATH,
S/O.KAITHAKKAT BALAKRISHNAN,
KAITHAKKAT HOUSE, EDAVILANGU PO, KODUNGALLUR,
TRICHUR DISTRICT.

4. P.K.LAKSHMI,
W/O.KAITHAKKAT BALAKRISHNAN,
KAITHAKKAT HOUSE, EDAVILANGU PO,
KODUNGALLUR, TRICHUR DISTRICT.

5. K.B.SANAL,
S/O.KAITHAKKAT BALAKRISHNAN,
KAITHAKKAT HOUSE, EDAVILANGU PO,
KODUNGALLUR, TRICHUR DISTRICT.

6. THE DEBT RECOVERY TRIBUNAL,
ERNAKULAM REPRESENTED BY THE REGISTRAR.

BY ADV. SRI.C.K.KARUNAKARAN,SC,DHANALAKSHMI BAN (FOR R1 & R2)
SRI.K.K.CHANDRAN PILLAI
SRI.P.PARAMESWARAN NAIR,ASST.SOLICITOR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 13/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 28177/2007/D

APPENDIX

PETITIONER'S EXHIBITS:

EXT. P1: COPY OF THE LETTER ISSUED BY THE THEN MANAGER OF THE 2ND RESPONDENT BANK.

EXT. P2: COPY OF THE FINAL ORDER IN O.A. 423/03.

EXT. P3: COPY OF THE SECURITISATION APPLICATION NO.61/07.

EXT. P4: COPY OF THE SAID NEWS PAPER ADVERTISEMENT.

EXT. P5: COPY OF THE SAID STAY PETITION.

EXT. P6: COPY OF THE CERTIFICATES ISSUED BY THE AGRICULTURAL OFFICER.

EXT. P7: COPY OF THE SAID IA 1540/07.

EXT. P8: COPY OF THE APPLICATION SUBMITED BEFORE THE VADAKARA MUNICIPALITY.

EXT. P9: COPY OF THE APPLICATION SUBMITTED BEFORE THE GURUVAYOOR MUNICIPALITY.

EXT. P10: COPY OF THE AGREEMENT DATED 25/03/1999.

EXT. P11: COPY OF THE INTIMATION LETTER DATED 03/06/02.

EXT. P12: COPY OF THE ORDER DATED 07/03/03.

EXT. P13: COPY OF THE LETTER DATED 02/09/98 AND 30/09/98.

EXT. P14: COPY OF THE PHOTOGRAPHS OF THE SOLID WASTE MANAGEMENT PLANT ESTABLISHMENT AT GURUVAYOOR.

EXT. P15: COPY OF THE AGREEMENT DATED 30/04/04.

EXT. P16: COPY OF THE PAPER REPORT DATED 23/09/07.

/TRUE COPY/

P.A. TO JUDGE

JP

THOTTATHIL B. RADHAKRISHNAN, J.

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WP(C).No.28177 of 2007-D

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Dated this the 13th day of November, 2007.

JUDGMENT

The petitioner is prosecuting his complaints before the Debts Recovery Tribunal. I am not impressed to grant any relief in this writ petition for different reasons, including the pendency of proceedings before the DRT. This writ petition is, hence, dismissed without prejudice to contentions.

THOTTATHIL B. RADHAKRISHNAN,
JUDGE.

Sha/